

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Darry Wayne Hanna,

PETITIONER

v.

United States of America,

RESPONDENT

Crim. No. 4:06-cr-00828-TLW

C/A No. 4:10-cv-70296-TLW

Order

Before the Court is Petitioner Darry Wayne Hanna's motion for reconsideration of the Court's order denying his Rule 60(b)(4) motion. The Court has carefully reviewed the motion and concludes that he has not set forth sufficient grounds to cause the Court to alter or amend its prior order.

A Rule 59(e) motion may only be granted "(1) to accommodate an intervening change in controlling law; (2) to account for new evidence not available at trial; or (3) to correct a clear error of law or prevent manifest injustice. It is an extraordinary remedy that should be applied sparingly." *Mayfield v. Nat'l Ass'n for Stock Car Auto Racing, Inc.*, 674 F.3d 369, 378 (4th Cir. 2012) (citations omitted).

Petitioner raises two grounds for relief: (1) that the Court erred in concluding that his motion was not timely; and (2) the Court erred in concluding that his motion was procedurally barred.

The Court has carefully reviewed Petitioner's motion and concludes that he has not set forth sufficient grounds to cause the Court to alter or amend its prior order for the reasons set forth in that order. Accordingly, his motion for reconsideration, ECF No. 185, is **DENIED**.

IT IS SO ORDERED.

s/ Terry L. Wooten
Terry L. Wooten
Chief United States District Judge

August 13, 2015
Columbia, South Carolina